

## **EXHIBIT 3**

NOV 12 2013

12CV5598

THOMAS G BRUTON  
CLERK U.S. DISTRICT COURT

## ANSWER OF THIRD PARTY RESPONDENT CITATION

This first section must be filled out by the judgment creditor.

Citation/Respondent: Bank of America

Court Date: November 20, 2013 at 9:15 a.m.

Defendant's Name: Richard P. Twasky, Jr.

SS No. xxx-xx-8084

Case No. 12-cv-5598

Judgment Balance: \$ 1,436,785.76 plus interest

This is a Citation: Freeze up to double the Judgment Balance.

## INTERROGATORIES

1. On the date of service of the citation, did you have in your possession, custody or control any personal property or monies belonging to the judgment debtor? ☒ Yes ☐ No

IF THE ANSWER IS "YES" GO TO NEXT QUESTION. IF "NO" GO TO INSTRUCTIONS.

2. Is this an IRA account? Or have all of the deposits made during the past 90 days been electronically deposited and identified as exempt Social Security, Unemployment Compensation, Public Assistance, Veteran's Benefits, Pension or Retirement or by a source drawing from any other statutory exemptions? ☐ Yes ☒ No

IF THE ANSWER IS "YES" GO TO NEXT QUESTION. IF "NO" GO TO INSTRUCTIONS.

3. Is/Are the account(s)' current balance equal to or less than the total of the exempt deposits? ☐ Yes ☐ No

IF YOU ANSWERED "YES" TO ALL 3 QUESTIONS AND FUNDS IN THE ACCOUNT(S) ARE EXEMPT, DO NOT FREEZE THE FUNDS AND GO TO "INSTRUCTIONS" BELOW.

4.	ACCOUNT BALANCE	AMOUNT WITHHELD
A) Savings Account	\$	\$
B) Check/MMA/New Account	\$ 109.69 / 3842.25	\$ 109.69 / 3842.25*
C) Certificate of Deposit	\$	\$
D) Trust Account/Other (Describe)	\$	\$
E) Safety Deposit <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
F) Land Trust No.		
G) Loss Right of Offset for Loans		
	TOTAL AMOUNT FROZEN:	\$ 3851.94

\*After any applicable exemption and fee

5. List all electronic deposits into account(s) and their source(s) except deposits:  
Account Number \_\_\_\_\_ Source \_\_\_\_\_

Monthly Amount

6. List all joint account holders or adverse claimants:

Name	Address	Name	Address
Tyler Thrasky	126 Soulder Dr		
	Lake in the Hills IL 60456		

Account Type <input checked="" type="checkbox"/> Checking <input type="checkbox"/> CD Savings	Account Number	Account Type <input type="checkbox"/> Checking <input type="checkbox"/> CD Savings	Account Number
<input checked="" type="checkbox"/> Checking	278225	<input type="checkbox"/> Checking	

## INSTRUCTIONS

(1) Fill out and sign the certification below. (2) This Answer must be filed at least three (3) days before the court date to assure timely processing. (3) Fax or mail a copy of this Answer to (i) the Court, (ii) Plaintiff's attorney and (iii) Judgment Debtor.

## CERTIFICATION

Under the penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct and that I have mailed this Answer to Defendant(s).

Date: 11-5-13

Print Agent Name: Stolley, Daniel

Respondent Name: BANK OF AMERICA  
Address: LEGAL ORDER PROCESSING  
5701 HORATIO STREET  
UTICA, NY 13502  
Telephone: NY7-501-07-16  
FAX:

Signature of Agent: [Signature]

Phone 315.734.8300  
Fax 617.310.2751

ROBBINS SALOMON PATT Fax:312-782-6690

Nov 15 2013 01:54pm P003/004

**ANSWER OF THIRD PARTY RESPONDENT CITATION**

This first section must be filled out by the judgment creditor.

Citation/Respondent: Bank of AmericaCourt Date: November 20, 2013 at 9:15 a.m.Defendant's Name: Capital Realty & Development, LLCJIN No. xx-xxx 8702Case No. 12-cv-5598Judgment Balance: \$ 1,436,783.76 plus interest

This is a Citation: Freeze up to double the Judgment Balance.

**INTERROGATORIES**1. On the date of service of the citation, did you have in your possession, custody or control any personal property or monies belonging to the judgment debtor? ☐ Yes ☒ No

IF THE ANSWER IS "YES" GO TO NEXT QUESTION. IF "NO" GO TO INSTRUCTIONS.

2. Is this an IRA account? Or have all of the deposits made during the past 90 days been electronically deposited and identified as exempt Social Security, Unemployment Compensation, Public Assistance, Veteran's Benefits, Pension or Retirement or by a source drawing from any other statutory exemptions? ☐ Yes ☒ No

IF THE ANSWER IS "YES" GO TO NEXT QUESTION. IF "NO" GO TO INSTRUCTIONS.

3. Is/Are the account(s) current balance equal to or less than the total of the exempt deposits? ☐ Yes ☒ No

IF YOU ANSWERED "YES" TO ALL 3 QUESTIONS AND FUNDS IN THE ACCOUNT(S) ARE EXEMPT, DO NOT FREEZE THE FUNDS AND GO TO "INSTRUCTIONS" BELOW.

	ACCOUNT BALANCE	AMOUNT WITHHELD
A) Savings Account	\$ <u>/</u>	\$ <u>/</u>
B) Check/MMA/Now Account	\$ <u>/</u>	\$ <u>/</u>
C) Certificate of Deposits	\$ <u>/</u>	\$ <u>/</u>
D) Trust Account/Other (Describe)	\$ <u>/</u>	\$ <u>/</u>
E) Safety Deposit <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
F) Land Trust No.		
G) Less Right of Offset for Loans		\$ <u>/</u>

*Accounts closed*

**TOTAL AMOUNT FROZEN:**

5. List all electronic deposits into account(s) and their source(s) except deposits:

Account Number	Source	Monthly Amount
<u>/</u>	<u>/</u>	\$ <u>/</u>
<u>/</u>	<u>/</u>	\$ <u>/</u>
<u>/</u>	<u>/</u>	\$ <u>/</u>

6. List all joint account holders or adverse claimants:

Name	Address	Account Type	Checking	CD	Savings	Account Number
<u>/</u>	<u>/</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>/</u>
<u>/</u>	<u>/</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>/</u>
<u>/</u>	<u>/</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>/</u>

**INSTRUCTIONS**

(1) Fill out and sign the certification below. (2) This Answer must be filed at least three (3) days before the court date to assure timely processing. (3) Fax or mail a copy of this Answer to (i) the Court, (ii) Plaintiff's attorney and (iii) Judgment Debtor.

**CERTIFICATION**

Under the penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct and that I have mailed this Answer to Defendant(s).

Date: 11/19/13Print Agent Name: Shelley AmodeoRespondent Name: BANK OF AMERICALEGAL ORDER PROCESSINGAddress: 6701 HORATIO STREETUTICA, NY 13502Telephone: NY 7501-01-15FAX: Phone 315.734.8211Fax 617.342.4711Signature of Agent: [Signature]